

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GIL DAUGHTRY,

Plaintiff

v.

HARRELL WATTS, *et al.*,

Defendants

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CIVIL NO. 1:11-2210

Judge Rambo

Magistrate Judge Smyser

ORDER

IT IS HEREBY ORDERED THAT:

- 1) The court rejects the report and recommendation of Magistrate Judge Smyser.
- 2) The complaint is dismissed as moot.
- 3) The Clerk of Court shall close the file.
- 4) It is certified that any appeal will be deemed frivolous and not taken in good faith.

s/Sylvia H. Rambo
United States District Judge

Dated: November 28, 2012.